

**RAS 8460**

**UNITED STATES OF AMERICA**

**DOCKETED 09/14/04**

**SERVED 09/14/04**

**NUCLEAR REGULATORY COMMISSION**

**ENTERGY NUCLEAR VERMONT YANKEE, LLC, AND  
ENTERGY OPERATIONS, INC.**

Docket No. 50-271

ASLBP No. 04-832-02-OLA

**ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD**

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

Entergy Nuclear Vermont Yankee, LLC, and  
Entergy Operations, Inc.  
Vermont Yankee Nuclear Power Station  
(Operating License Amendment)

This proceeding concerns hearing requests submitted on August 30, 2004, by the Vermont Department of Public Service and the New England Coalition of Brattleboro, Vermont. Those requests, which were filed in response to a June 15, 2004 notice of consideration of issuance of facility operating license amendment and opportunity for hearing published in the Federal Register on July 1, 2004 (69 Fed. Reg. 39,976), challenge the request of Entergy Nuclear Vermont Yankee, LLC, and Entergy Operations, Inc., to change the operating license for the Vermont Yankee Nuclear Power Station to increase the maximum authorized power level from 1593 megawatts thermal (MWt) to 1912 MWt, an increase of approximately twenty percent above the current maximum authorized power level.

The Board is comprised of the following administrative judges:

Alex S. Karlin, Chair  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Lester S. Rubenstein  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 C.F.R. § 2.302.

***/RA/***

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G. Paul Bollwerk, III  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,  
this 14th day of September 2004.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
ENTERGY NUCLEAR VERMONT YANKEE L.L.C.	)	Docket No. 50-271-OLA
and ENTERGY NUCLEAR OPERATIONS, INC.	)	
	)	
Vermont Yankee Nuclear Power Station)	)	
	)	
(Operating License Amendment)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
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U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
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Administrative Judge  
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Docket No. 50-271-OLA  
ESTABLISHMENT OF ATOMIC SAFETY AND  
LICENSING BOARD

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Lyme, NH 03768

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 14<sup>th</sup> day of September 2004